

BILL NO. G-69-01-14

GENERAL ORDINANCE NO. G- 46-69

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of right-of-way at the Northwest corner of Bass Road and Leesburg Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The following Resolution of the Fort Wayne City Plan Commission, to-wit:

"WHEREAS, the owners of the real estate described as Lot No. 5 Felger's Addition, more commonly known as 3519 Leesburg Road, located in Allen County, Indiana, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of a certain right-of-way over a part of the above-described real estate, said right-of-way being more particularly described as follows:

A Part of the Southwest Quarter of Section 33, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows: Commencing at the Southwest corner of Lot #5 in the Walter Felger Addition, said point being located on the North right-of-way line of the Bass Road, said right-of-way line being located 33 feet North of the South line of the Southwest quarter of Section 33, Township 31 North, Range 12 East; thence East along the said North right-of-way line of the Bass Road a distance of 110.1 feet to the point of beginning; thence in a northerly direction a distance of 57.2 feet along an arc having a radius of 25 feet to a point located on the West right-of-way line of the Leesburg Road, said point being located 33 feet from the centerline of the said Leesburg Road; thence Northwesterly along the said West right-of-way line of Leesburg Road a distance of 0.80 feet; thence perpendicular to the said right-of-way line of the Leesburg Road a distance of 3 feet; thence Southeasterly 30 feet from and parallel to the centerline of the Leesburg Road a distance of 30 feet; thence Southwesterly a distance of 25 feet to a point located 32.5 feet North of the centerline of the Bass Road also being the said South line of Section 33; thence West 32.5 feet

from and parallel to the said centerline of the Bass Road a distance of 28.4 feet; thence North a distance of 0.50 feet to the point of beginning, containing 0.0127 acres of land more or less,

all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stats. 53-744 (Burns 1964 Repl. Ed.); and

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on the 16th day of December, 1968, at 4:30 o'clock p.m., and, at such hearing, there were no objections of any kind or character which should prevent the vacation of the above-described right-of-way;

NOW, THEREFORE, be it resolved by the Fort Wayne City Plan Commission that the vacation of the above-described right-of-way conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Allen County, Indiana, and meets with the approval of the Allen County Highway Department and the Allen County Highway Engineering Department; and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said right-of-way is hereby approved; and

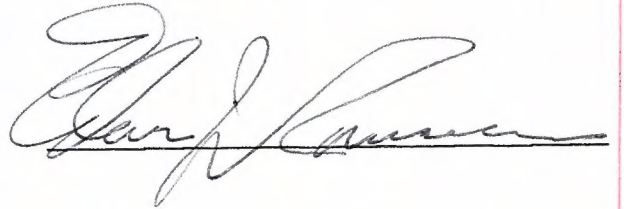
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of rights-of-way in Fort Wayne, Indiana, with the recommendation that the action taken by this Commission be approved."

duly adopted on December 16, 1968, following a public hearing thereon after first giving notice thereof all pursuant to Section 44 of Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Sec. 53-744 Burns Ind. Statutes Ann. 1964 Repl.) is hereby approved and the recommendations made by said Commission are now accepted.

SECTION 2. Vacation of the right-of-way described in said Resolution in any manner provided by law is hereby authorized and approved.

SECTION 3. Upon such vacation the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, is hereby amended accordingly.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



APPROVED AS TO FORM
AND LEGALITY,



CITY ATTORNEY

RESOLUTION FOR VACATION OF RIGHT-OF-WAY
AT THE NORTHWEST CORNER OF BASS ROAD AND LEESBURG ROAD

WHEREAS, the owners of the real estate described as Lot No. 5 Felger's Addition, more commonly known as 3519 Leesburg Road, located in Allen County, Indiana, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of a certain right-of-way over a part of the above-described real estate, said right-of-way being more particularly described as follows:

A Part of the Southwest Quarter of Section 33, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows: Commencing at the Southwest corner of Lot #5 in the Walter Felger Addition, said point being located on the North right-of-way line of the Bass Road, said right-of-way line being located 33 feet North of the South line of the Southwest quarter of Section 33, Township 31 North, Range 12 East; thence East along the said North right-of-way line of the Bass Road a distance of 110.1 feet to the point of beginning; thence in a northerly direction a distance of 57.2 feet along an arc having a radius of 25 feet to a point located on the West right-of-way line of the Leesburg Road, said point being located 33 feet from the centerline of the said Leesburg Road; thence Northwesterly along the said West right-of-way line of Leesburg Road a distance of 0.80 feet; thence perpendicular to the said right-of-way line of the Leesburg Road a distance of 3 feet; thence Southeasterly 30 feet from and parallel to the centerline of the Leesburg Road a distance of 30 feet; thence Southwesterly a distance of 25 feet to a point located 32.5 feet North of the centerline of the Bass Road also being the said South line of Section 33; thence West 32.5 feet from and parallel to the said centerline of the Bass Road a distance of 28.4 feet; thence North a distance of 0.50 feet to the point of beginning, containing 0.0127 acres of land more or less,

all in accordance with Section 44, Chapter 174, of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 365, of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stats. 53-744 (Burns 1964 Repl. Ed.); and

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on the 16th day of December, 1968, at 4:30 o'clock p.m., and, at such hearing, there were no objections

of any kind or character which should prevent the vacation of the above-described right-of-way;

NOW, THEREFORE, be it resolved by the Fort Wayne City Plan Commission that the vacation of the above-described right-of-way conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Allen County, Indiana, and meets with the approval of the Allen County Highway Department and the Allen County Highway Engineering Department; and;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said right-of-way is hereby approved; and,

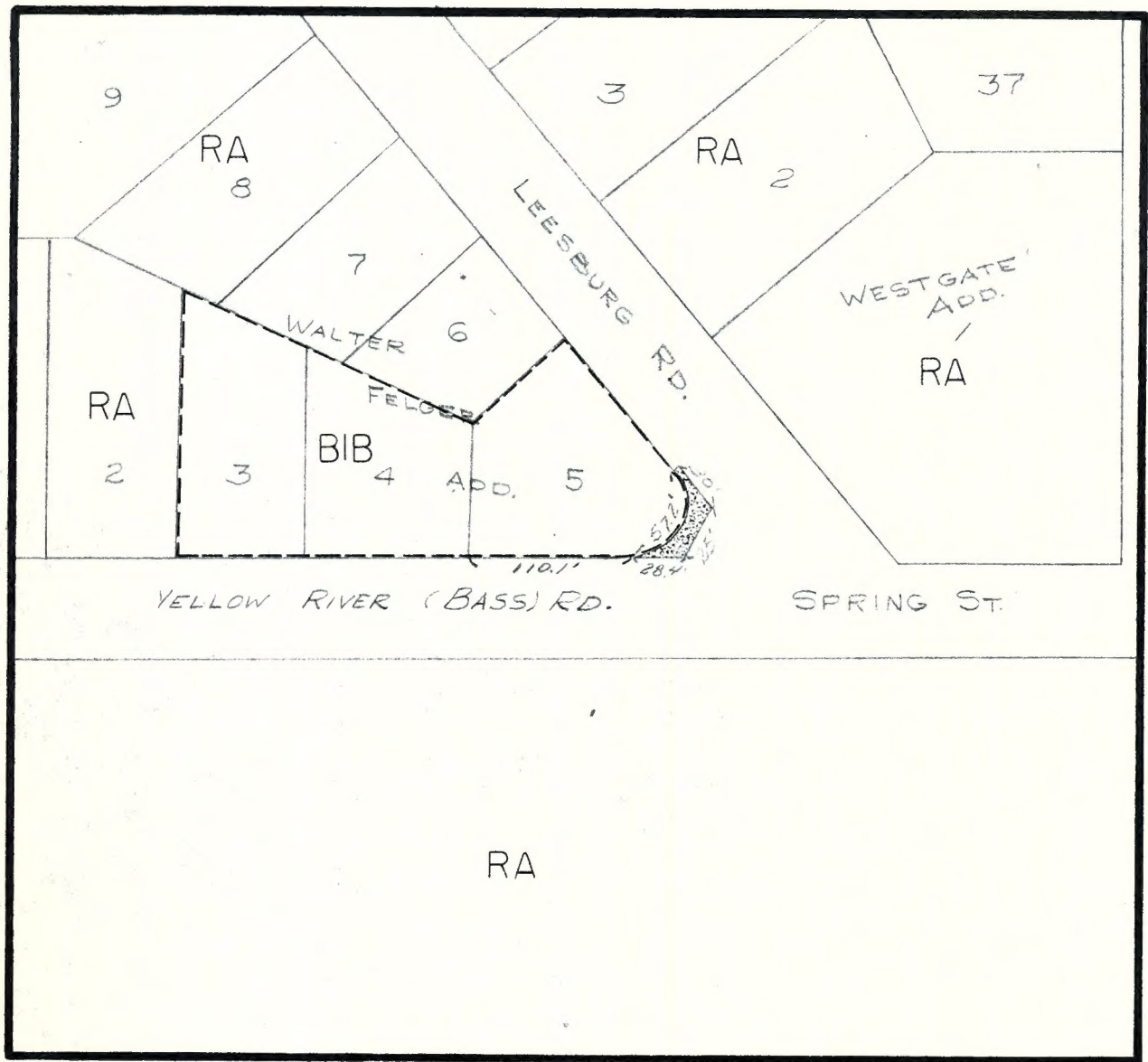
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of rights-of-way in Fort Wayne, Indiana, with the recommendation that the action taken by this Commission be approved.

FORT WAYNE CITY PLAN COMMISSION

By: (SIGNATURE BELOW)
Arthur C. Richard, Chairman

I, Arthur C. Richard, Chairman of the Fort Wayne City Plan Commission, do hereby certify that the above and foregoing is a full, true and correct copy of a Resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 16th day of December, 1968, and as the same appears in the official records of said City Plan Commission, dated the 16TH day of DECEMBER, 1968.

Arthur C. Richard
Arthur C. Richard



PORTION OF R/W TO BE VACATED

N

BILL NO. G-69-01-14

GENERAL ORDINANCE NO. G-_____

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BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The following Resolution of the Fort Wayne City Plan Commission, to-wit:

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from and parallel to the said centerline of the Bass Road a distance of 28.4 feet; thence North a distance of 0.50 feet to the point of beginning, containing 0.0127 acres of land more or less,

all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stats. 53-744 (Burns 1964 Repl. Ed.); and

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NOW, THEREFORE, be it resolved by the Fort Wayne City Plan Commission that the vacation of the above-described right-of-way conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Allen County, Indiana, and meets with the approval of the Allen County Highway Department and the Allen County Highway Engineering Department; and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said right-of-way is hereby approved; and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of rights-of-way in Fort Wayne, Indiana, with the recommendation that the action taken by this Commission be approved."

duly adopted on December 16, 1968, following a public hearing thereon after first giving notice thereof all pursuant to Section 44 of Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Sec. 53-744 Burns Ind. Statutes Ann. 1964 Repl.) is hereby approved and the recommendations made by said Commission are now accepted.

SECTION 2. Vacation of the right-of-way described in said Resolution in any manner provided by law is hereby authorized and approved.

SECTION 3. Upon such vacation the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, is hereby amended accordingly.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Bill No. G-69-01-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of right-of-way
at the Northwest corner of Bass Road and Leesburg Road.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

JOHN H. ROBINSON, Vice-Chairman

THOMAS G. ADAMS

JACK K. DUNIFON

PHIL A. STEIGERWALD

Edwin J. Rousseau
John H. Robinson
Thomas G. Adams
Jack K. Dunifon
Phil A. Steigerwald

CONCURRED IN
DATE 1-28-69 FUAD G. BONAHOOM, CITY CLERK

Read the first time in full and on motion by Rousseau seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Planning Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196____, at _____ o'clock _____ P.M., E.S.T.

Date: 1-14-69

Thad G. Bonahoom
City Clerk

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage.
Passed (~~LOST~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	____	to-wit:
Adams	<u>✓</u>	____	____	____	____	____	____	
Dunifon	<u>✓</u>	____	____	____	____	____	____	
Fay	<u>✓</u>	____	____	____	____	____	____	
Geake	<u>✓</u>	____	____	____	____	____	____	
Nuckols	<u>✓</u>	____	____	____	____	____	____	
Robinson	<u>✓</u>	____	____	____	____	____	____	
Rousseau	<u>✓</u>	____	____	____	____	____	____	
Steigerwald	<u>✓</u>	____	____	____	____	____	____	
Tipton	<u>✓</u>	____	____	____	____	____	____	

Date 1-28-69

Thad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 246-69

on the 28th day of January, 1969.

ATTEST: (SEAL)

Thad G. Bonahoom
City Clerk

Herbert H. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of January, 1969 at the hour of 10:00 o'clock A.M., E.S.T.

Thad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of January, 1969 at the hour of 11:31 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor